

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

ERIC MOORE

PLAINTIFF

v.

No. 3:15-cv-63-DPM

POINSETT COUNTY, ARKANSAS

DEFENDANT

ORDER

1. This case is about a man, his job, and his dog—former Poinsett County Deputy Sheriff Eric Moore, his police dog, and Moore’s allegedly unpaid overtime doing various things with and for the dog. The record doesn’t disclose the police dog’s name. It does show genuine disputes of material fact about whether Poinsett County violated the Fair Labor Standards Act or the Arkansas Minimum Wage Act in paying Moore. *Compare No 10-1 & 12, with No 18-4 & 19.* Moore’s motion for summary judgment, *No 10*, is therefore denied. *Treece v. City of Little Rock, Arkansas*, 923 F. Supp. 1122, 1125 (E.D. Ark. 1996).

2. The Court wonders whether the state law claim is duplicative. The Court requests that Moore consider whether to dismiss it without prejudice. Please advise in your pretrial disclosure sheet.

3. This case is first out for a bench trial in Jonesboro the second week of June. We'll start at 9:00 a.m. on Tuesday, 7 June 2016. The Amended Final Scheduling Order, No 8, is further amended. No trial briefs or responding trial briefs are needed. The parties' summary judgment briefs will do just fine. No proposed findings and conclusions are needed. Instead, the Court encourages the parties to collaborate on and file a stipulation about undisputed background facts. Any stipulation is due by 6 May 2016. Please exchange and deliver copies of exhibits (one paper and one electronic) to chambers by 1 June 2016. Please bring your original exhibits to Jonesboro and deliver them to the courtroom deputy on June 7th. The Court sees no need for a pretrial before the first day of the bench trial.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

14 April 2016